

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1180 (S/S) 2005

Pinki Purohit W/o Sri Bhoj Raj Purohit,
R/o Bichla Bazar, Deoprayag,
Tehri Garhwal.

-----Petitioner.

Vs.

1. The State of Uttaranchal through its
Secretary,
Ministry of Education (Basic),
Civil Secretariat, Dehradun,
2. Joint Director of Education,
Garhwal Region, Pauri,
3. District Education Officer, Narendra Nagar,
Tehri Garhwal,
4. Addl. District Education Officer (Basic),
Tehri Garhwal.

-----Respondents.

Sri Pankaj Miglani, learned counsel for the petitioner.
Learned Standing Counsel for respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Pankaj Miglani, learned counsel for the petitioner and learned Standing Counsel who has accepted notices for the respondents.

Vide order dated 28.06.2005, the petitioner, who is Primary School Teacher, has been transferred from Primary School, Dansara (Deoprayag) to Primary School, Kandasari (Deoprayag) district Tehari Garhwal on the ground that the Primary School, Dansara have more teachers than the fixed standard.

In para-10 to the writ petition, the petitioner has submitted that there were 3 teachers including the petitioner in Primary School Dansara and the strength of students in the school at present is 89 students whereas; in Primary School, Kandasari where the petitioner has been transferred, there are 3

teachers including the petitioner and the total strength of students in the Month of September 2004 was only 15.

In the circumstances stated above, I find it is a fit case where interference of this Court is required under Article 226 of the Constitution of India.

Accordingly, the petitioner is directed to make representation to the District Education Officer, Tehri Garhwal, Narendra Nagar within a period of 10 days from today alongwith a copy of the writ petition and the District Education officer, Tehri Garhwal is directed to take decision on the representation of the petitioner within a period of two weeks from the date of receipt of a certified copy of this order, alongwith a copy of the writ petition. in case, if he finds that the statements made by the petitioner are correct, he may pass appropriate orders on the representation of the petitioner. Till the decision is taken on the representation, the petitioner shall be permitted to continue as Assistant Teacher in Primary School, Dansara (Deoprayag), district Tehri Garhwal.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

August 18, 2005:

NCM: